

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**IN RE ROUNDUP PRODUCTS LIABILITY  
LITIGATION**

ROBIN SMITH,

Plaintiff,

v.

MONSANTO COMPANY,.

Defendants.

**MDL NO. 2741**

SHORT FORM COMPLAINT

Civil Action No.: **3:21-cv-7208**

**SHORT FORM COMPLAINT WITH JURY DEMAND**

Pursuant to Pretrial Order (PTO) No. 149, in which the parties were ordered to sever the plaintiffs in the case captioned *John Frederick et al. v. Monsanto Company*, originally filed in the United States District Court for the Eastern District of Missouri (Eastern Division) into individual short form complaints for pre-trial work up purposes, Plaintiff Robin Smith provides the following allegations required by the Court in PTO No. 155:

1. This case is brought on behalf of Plaintiff Robin Smith.
2. This case is brought against Defendant Monsanto Company (Monsanto).
3. Plaintiff first filed her case against Monsanto in the United States District Court for the Eastern District of Missouri (Eastern Division).
4. Plaintiff incorporates by reference, as if fully alleged herein, the allegations contained in *John Frederick, et al. v. Monsanto Company*, Case No. 3:21-cv-03418.
5. Plaintiff resided in Beckley, WV at the time of filing the original complaint against Monsanto.

6. Plaintiff currently resides in Beckley, WV.
7. Plaintiff resided in Beckley, WV at the time of her diagnosis of Non-Hodgkin Lymphoma (NHL).
8. Plaintiff received medical treatment for her NHL in Beckley, WV.
9. Venue over this case properly lies in the United States District Court for the Central District of California.
10. Jurisdiction is proper based on diversity under 28 U.S.C. § 1332 because Plaintiff is a citizen of West Virginia, a different state than the Defendant's state of citizenship, and the aggregate amount in controversy exceeds \$75,000, exclusive of interest and cost.
11. Plaintiff was exposed to Monsanto's Roundup products from in or around 1989 to 2000.
12. Plaintiff used Monsanto's Roundup products at the following location: West Virginia.
13. Plaintiff was first diagnosed with Non-Hodgkin's Lymphoma in February of 2018.
14. Plaintiff(s) bring claims against Monsanto under the following theories of liability: Strict Liability (Design Defect); Strict Liability (Failure to Warn); Negligence; Breach of Express Warranty; Breach of Implied Warranties.

Respectfully Submitted by,

/s/Fletcher V. Trammell

**Counsel for Plaintiff**

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 17, 2021, I electronically filed the foregoing with the Clerk for the United States District Court for the Northern District of California using the CM/ECF system, which shall send electronic notification to counsel of record.

/s/ Fletcher V. Trammell  
Fletcher V. Trammell